

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re  
THOMAS RUIZ RODRIGUEZ  
AND  
MARLO ELISA RODRIGUEZ

Case No. 4:12-bk-06689-EWH  
Date Filed:

\_\_\_\_\_/Debtors  
Attorney for Debtor: Daniel J. Rylander 015279

ASSIGNMENT OF PROCEEDS AND DEBTOR'S  
AUTHORIZATION TO COLLECT FEES

As of the Date of the filing of my Chapter 13 Petition and Plan there remains unpaid to my attorney, Daniel J. Rylander 015279, the sum of \$3232.00 for the remaining attorney's fees and costs, all as set forth in the Attorney's Fees Statements [(Rule 2016(b)] filed in my case. The undersigned agrees that these remaining fees have been earned in full as of the date of the filing of my Chapter 13 Petition and Plan.

FOR VALUE RECEIVED, the undersigned Debtor hereby grants, bargains, assigns, sells, transfers, and sets over to Daniel J. Rylander 015279, my legal counsel, all of my interest and legal title in any funds which my be remitted by me to the Chapter 13 Trustee. In the event that my case is discharged, converted to another Chapter or withdrawn, the Trustee DIANNE KERNS, is hereby authorized to remit directly to Daniel J. Rylander 015279, any amounts remaining and unpaid through the Chapter 13 Plan for his remaining unpaid attorney's fees which were not disbursed pursuant to my Chapter 13 Petition and Plan. No further authority shall be required of me.

If I disagree with the payment of these fees for any reason I have been informed that I have the right to Petition the court to determine the reasonability of the fees.

Date: March 29, 2012

  
THOMAS RUIZ RODRIGUEZ

  
MARLO ELISA RODRIGUEZ

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

In re  
THOMAS RUIZ RODRIGUEZ  
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Case No.  
Date Filed:

\_\_\_\_\_/Debtors  
Attorney for Debtors: Daniel J. Rylander 015279

**STATEMENT Pursuant to Rule 2016 (b) and APPLICATION For Attorney's Fees as an  
Administrative Expense**

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, status that:

1. The compensation paid or promised by the Debtors, to the undersigned, is as follows:

For legal services rendered, Debtors agrees to Pay \$5500.00  
for the preparation and filing of Chapter 13 Petition and Plan.

Prior to the filing of this Statement, Debtors have paid \$2268.00  
Balance Due \$3232.00

2. The filing Fee *has been paid*

3. The Services rendered or to be rendered include the following:

- (a) Debtor's attorney's fees: The attorney's fees in this case is to be a flat fee which is based upon the time expended in a typical Chapter 13 case with similar factual circumstances.
- (b) Debtor's counsel will keep a record of the time expended on this case by himself at \$275.00 an hour and by his associate lawyer at \$250.00 an hour. Where applicable paralegal will be billed at \$95.00 an hour, secretarial time at \$75.00 an hour and out-of-pocket expenses.
- (c) In the event that the time required by this case exceeds the amount of fees anticipated herein by ten (10%) Debtor's counsel may at his discretion and upon notice and hearing to all interested parties (including the Debtor) petition the Court for additional attorney's fees.
- (d) The remaining attorney's fees shall be paid from the plan prior to the commencement of payment on any claims listed hereinafter (except for any adequate protection payments which may be allowed by the Court at the confirmation hearing). Debtor's attorney's fees shall be remitted by the Trustee's to Debtor's attorney in the even that Debtor's petition is confirmed, dismissed or converted.
- (e) Debtor's counsel claims an assignment and lien upon the Debtor's plan payments held by the Chapter 13 Trustee.
- (f) Pursuant to General Order 63 and Rule 2016 Debtor's counsel herein estimates the amount of the services that he will provide to Debtor to be at least the following:
  - (1) Initial office conferences with Debtor; review Debtor's questionnaire concerning Debtor's assets and determine the true market values and whether or not assets are secured by liens encumbrances, and review Debtor's liabilities and categorize liabilities; instruct Debtor on filling out the bankruptcy schedules and statements of affairs;
  - (2) Review first draft and final draft of all schedules and pleadings and revise as necessary; do the necessary mathematical calculations to project the repayment of the Debtor's liabilities including comparing to

test; review file notes, and memoranda, and draft plan; revise plan as necessary;

- (3) Meet with Debtor to review and sign petition, schedules, and plan; make any last minute revisions if necessary; file the Debtor's Chapter 13 Petition and Plan; mail copies of the plan and notice of the First Meeting of Creditors to all interested parties and prepare and file affidavit of mailing;
- (4) Correspond with the Debtor about the importance of the First Meeting of Creditors and inform them of what is expected from Debtor and include a map to the Court House, calendar the First Meeting of Creditors and Attend First Meeting of Creditors and any continued meetings;
- (5) Defend pre-confirmation Motions to lift stay, if any, which are anticipated in this case.
- (6) Continued contact with Debtor and respond to Debtor's inquiries, respond to creditor inquiries, and where applicable, negotiate amounts of contested claims, review all claims filed by claimants and file objections to claims where appropriate; in particular review all priority claims filed by the Internal Revenue Service and/or Arizona Department of Revenue and object to any claims which are not supported; and file proofs of claims on behalf of any claimants which could not normally be discharged in a bankruptcy proceeding; negotiate student loan claims when possible.
- (7) Review objections to plan filed by any claimants as well as by the standing Chapter 13 Trustee and respond to or cure the same; file responses to and appear at any pre-confirmation Motions To Lift Stay, Valuation or other matters if brought by interested parties;
- (8) Intercede and stop in any pending writs of garnishments or writs of executions, file notices of the filing of the bankruptcy in any pending civil cases. Where applicable prepare and record a homestead exemption.
- (9) Travel to and attend the confirmation hearing, and continued confirmation hearings, other pertinent hearings; and draft the appropriate form of confirmation order and obtain the signatures of any necessary parties and the Court; send letter to client that the plan has been confirmed and what the Debtor's obligations are under the final form of order confirming plan.
- (10) Review the annual accounting prepared by the Chapter 13 Trustee and determine if there are any discrepancies between the accounting and the plan; prepare any annual report or affidavits required by the Chapter 13 Trustee; and review the final order of discharge, inform Debtor that the discharge has been granted and close the file.

4. The compensation described above does not include amounts to be paid by the Debtors for the filing fee, photocopies or other related expenses which the Debtors here have agreed to pay and/or reimburse to the undersigned.
5. If converted from Chapter 13 to Chapter 7 and/or dismissed Attorney's Fees for an conversions, post-petition controversies and/or contested matters shall be a the hourly rate of \$275.00 an hour.
6. The source of payments made by the debtors to the undersigned was from earning, wages and compensation for services performed, and none other.
7. The undersigned has received no transfer, assignment or pledge of property from the debtors except the following for the value stated: None.
8. The undersigned has not shared or agreed to share with any other entity, other than with member of the undersigned's law firm, any compensation paid or to be paid except that if it is necessary, the firm may retain outside counsel to make a court appearance.

Date: March 29, 2012

Respectfully submitted,

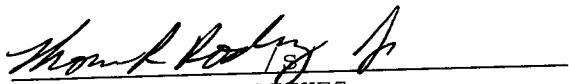
Attorney for Petitioner:



/s/ Daniel J. Rylander 015279  
Daniel J. Rylander 015279  
DANIEL J. RYLANDER, P.C.  
4340 NORTH CAMPBELL AVENUE SUITE 266  
TUCSON, AZ 85718

APPROVED BY & AGREED TO:

DATE: March 29, 2012

  
THOMAS RUIZ RODRIGUEZ

  
MARLO ELISA RODRIGUEZ

Daniel J. Rylander, P.C.  
Attorneys At Law  
St. Philip's Plaza  
4340 North Campbell, Suite 266  
Tucson, Arizona 85718  
Office (520) 299-4922-Fax (520)299-1482

Daniel J. Rylander  
PCB #64969 - Ariz. Bar #15279  
Noreen A. Cary  
PCB#66272-Ariz.Bar#027116

Attorneys for Debtors.

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re:	)	In Proceedings Under Chapter 13
	)	
THOMAS RUIZ RODRIGUEZ	)	Case No.
SSN: xxx-xx-5957	)	Date Filed:
	)	
MARLO ELISA RODRIGUEZ	)	<b>RECOMMENDATION FOR PAYMENT OF</b>
SSN: xxx-xx-2080	)	<b>DEBTOR'S ATTORNEY'S FEES</b>
	)	
Debtors.	)	
	)	

**THE DEBTORS**, THOMAS & MARLO RODRIGUEZ do hereby state and recommend to the Court the following:

1. The Debtors have retained the services of DANIEL J. RYLANDER, P.C. to represent them in the above entitled Chapter 13 proceeding.

2. For the anticipated services rendered in the representation of the Debtors in the above captioned Chapter 13 the Debtors have agreed that DANIEL J. RYLANDER, P.C. may be paid the remaining attorney's fees of \$3232.00 from the trust funds held by the Chapter 13 Trustee.

3. A copy of the Rule 2016 Statement previously filed in this case is incorporated herein by reference.

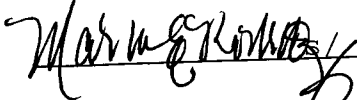
4. All known claimants were sent a copy of the **Application For Approval Of Attorney's Compensation** which was attached to the Chapter 13 Plan filed

herein.

DATED THIS 29 day of March, 2012



THOMAS RUIZ RODRIGUEZ, Debtor



MARLO ELISA RODRIGUEZ, Debtor



Daniel J. Rylander 015279  
Attorney for Debtors

Electronically filed  
with the Clerk of the United States  
Bankruptcy Court this 29 day of March, 2012

Copy of the foregoing mailed /  
hand delivered this 29 day of March, 2012 to:

Dianne C. Kerns, Trustee  
Office of the Chapter 13 Trustee  
PMB #413  
7320 North La Cholla Blvd. # 154  
Tucson, Arizona 85741-2305

By: 

Christina Kable, paralegal  
DANIEL J. RYLANDER, P.C.